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**July 21, 2020**

**Via CM/ECF Only**

Honorable Stuart D. Aaron  
United States District Magistrate  
Southern District of New York  
500 Pearl Street, Room 1970  
New York, NY 10007

Request GRANTED. The telephonic initial conference is  
adjourned to October 22, 2020 at 2:00 p.m. SO ORDERED.  
Dated: July 21, 2020

A handwritten signature in blue ink that reads "Stuart D. Aaron".

RE: *Michael Adams vs. Famous Calabria Pizza LLC, et al.*  
*Case No.: 1:20-cv-01304-VEC*  
*Joint Letter-Motion to Adjourn Initial Pretrial Conference*

Dear Judge Aaron,

I represent Plaintiff in the above-referenced matter.

The Initial Pretrial Conference is scheduled for Friday, July 24, 2020. The parties have met, conferred, and discussed the possibility of a settlement.

Defendant met with an expert, Warren Gordon, who inspected Defendant's property with respect to the ADA violations alleged in the complaint and to help bring the property into compliance without incurring additional fees and litigation expenses.

At this time, the Parties request that the Conference be adjourned until after August 31, 2020, to minimize attorney's fees based on the probability that this case will be settled once the contracted work has been completed and a follow-up inspection completed. The parties suggest that the conference be adjourned to either October 22 or 23, 2020, which would allow time for the work to be completed and the Plaintiff to re-inspect the premises. There are also several days in September and October that Defendant's counsel is unable to work for religious observations/holidays.

This is the second request for an adjournment of the conference.

This adjournment will not affect any other dates or deadlines scheduled in this action.

Thank you for your consideration.

Respectfully submitted,

s/ Maria-Costanza Barducci

Maria-Costanza Barducci, Esq. (5070487)

*Attorney for Plaintiff*

BARDUCCI LAW FIRM, PLLC

Via CM/ECF Only

**Warren Gordon P.E.**  
**1066 East 233<sup>rd</sup> Street**  
**Bronx NY 10466**

**Telephone (347) 996 7790**

July 15, 2020

Jeffery F. Cohen  
Attorney at Law

617 East 188th Street, Suite No.3  
Bronx NY 10458

I have reviewed the complaint of Michael Adams against Famous Calabria Pizza LLC. Where they are alleging fifteen (15) violations of the (Americans with Disabilities Act) ADA requirement. (Summary of the fifteen (15) violations attached.)

I met with the owner and his contractor on June 27, 2020 to review the work required to meet the requirements under the ADA. At the conclusion of the meeting the owner agreed to comply with the ADA requirements and address all the issues listed in the complaint.

After providing the necessary sketches to the contractor work is schedule to commence the week starting July 20, 2020 and it should be concluded by August 31, 2020.

At the conclusion of the work I will inspect, provide a full report including photographs and certification that the work is in compliance with the ADA requirements.

If you have any questions please don't hesitate to contact me.

Sincerely yours



Warren Gordon P.E.  
License NY 070452

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The ADA complaint of Michael Adams, the plaintiff; alleging fifteen (15) ADA violations in paragraph 12 of his complaint.

They are listed in Roman numerals I through XV.

I and II are regarding an entrance ramp.

III. Inaccessible service counter because it is too high.

IV. Inaccessible self-service beverage cooler displaying beverages for sale because it is too high.

V. Inaccessible self-service beverage dispenser because it is too high.

VI. Non-compliant sign identifying handicap restroom.

VII. Restroom Door lacks minimum maneuvering clearance for wheelchair.

VIII. Restroom Door swings into the floor space of restroom fixtures.

IX. and X. Restroom Door Knob and Door Lock require twisting of the wrist.

XI. Insufficient knee and toe space not provided under Restroom sink.

XII. Pipes and Water Lines under Sink in Restroom not insulated.

XIII. and XIV. and XV. Restroom Hand Dryer and Mirror are too high and Flush Control at Toilet is incorrectly located.